

030104
11324

U.S.PTO

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Our Docket No.: A-70851-1/RBC/VEJ Date: February 27, 2004

First Named Inventor: Robert S. HUNKA

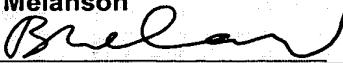
Title: THERMALLY POWERED VAV DIFFUSER AND CONTROL ASSEMBLY

"Express Mail" Mailing Label No.: EV 298965886 US

Date of deposit: March 1, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed name: Bret Melanson

Signed: 

ADDRESS TO: Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

16834 U.S. 10/791045
030104**APPLICATION ELEMENTS**

1. Fee Transmittal (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status
3. Specification: Total Pages: 56
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed. Sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
4. Drawings (35 U.S.C. 113) Total Sheets: 17
5. Oath or Declaration Total Pages: 2
 - a. Newly Executed (original or copy)
 - b. Copy from a prior application (37 C.F.R. 1.63(d)) (for continuation/divisional with Box 19 completed)
 - i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application (see 37 C.F.R. 1.63(d)(2) and 1.33(b))
6. Application Data Sheet (37 C.F.R. 1.76)

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(If applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identify of above copies

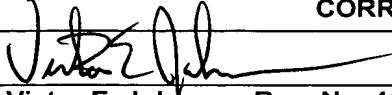
ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 C.F.R. 3.73(b) Statement Power of Attorney
11. English Translation Document *(if applicable)*
12. Information Disclosure Statement (with Copies of Citations as necessary)
13. Preliminary Amendment
14. Return Receipt Postcard
(Should be specifically itemized)
15. Certified Copy of Priority document(s) *(If foreign priority is claimed)*
16. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Check in the amount of \$385.00; and
Copy of prior recorded assignment.

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Division Continuation-in-part (CIP) of prior Application No.: 10/060,816 filed 02/01/2002

For continuation or divisional applications: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference.

CORRESPONDENCE ADDRESSSIGNATURE: 

DATE: March 1, 2004

ATTY NAME Victor E. Johnson, Reg. No. 41,546
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(Client Matter No. 463671-new)

(1133174)

FEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$385.00)** Filed without filing fee (see 37 C.F.R. § 1.53(b); M.P.E.P. § 601.01(a))**METHOD OF PAYMENT (check all that apply)** Check Credit card Money Order Other None Deposit Account:Deposit Account Number: **50-2319**Deposit Account Name: **DORSEY & WHITNEY LLP**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below
 Credit any overpayments
 Charge any additional fee required under 37 C.F.R. 1.16 and 1.17
 Charge fee(s) indicated below, *except for the filing fee*
 to the above-identified deposit account

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|---------------------|----------|------------------------|------------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | 385 |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| | | SUBTOTAL (1) | | (\$385) | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|-----------------|
| Total Claims | 13 | - 20** = 0 | X 9 = 0 |
| Independent Claims | 3 | - 3** = 0 | X 43 = 0 |
| Multiple Dependent | | | = 0 |

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|---------------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 | |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid | |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| | | SUBTOTAL (2) | | (\$0) | |

**or number previously paid, if greater; For Reissues, see above

| Complete if Known | | | | | |
|------------------------------------|----------|----------------------------|----------|--|--|
| Application Number | | To be assigned | | | |
| Filing Date | | Herewith | | | |
| First Named Inventor | | Robert S. HUNKA | | | |
| Art Unit | | Prior: 3744 | | | |
| Examiner Name | | Prior: William E. Tapolcai | | | |
| Attorney Docket No. | | A-70851-1/RBC/VEJ | | | |
| FEE CALCULATION (continued) | | | | | |
| 3. ADDITIONAL FEES | | | | | |
| Large Entity Fee Code | Fee (\$) | Small Entity Fee Code | Fee (\$) | Fee Description | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify): | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | SUBTOTAL (3) (\$0) | |

SUBMITTED BY

Name (Print/Type): **Victor E. Johnson**
 /or/ Robert B. Chickering Registration No.: **41,546**
 (Attorney/Agent) /or/ **24,286** Telephone: **(415) 781-1989**
 Facsimile: **(415) 398-3249**

Signature: Date: **March 1, 2004**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
 SEND TO: Commissioner for Patents, Washington, DC 20231.